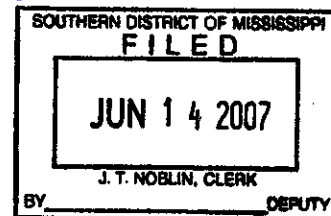


IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT



No. 07-60217

U.S. COURT OF APPEALS

FILED

JUN 5 2007

IN RE: LARRY WAYNE MCKENZIE,

CHARLES R. FULBRUGE III
CLERK

Movant.

Motion for an order authorizing
the United States District Court for the Southern
District of Mississippi to consider
a successive 28 U.S.C. § 2254 application

Before JOLLY, STEWART, and PRADO, Circuit Judges.

PER CURIAM:

Larry Wayne McKenzie, Mississippi prisoner # K4202, moves for authorization to file a successive 28 U.S.C. § 2254 application challenging his 2000 guilty-plea conviction and sentence for statutory rape. McKenzie intends to argue that his sentence is illegal and that he was denied due process because he did not commit the offense in the county of his conviction. McKenzie has not shown that his claims are based on either newly discovered evidence or a previously unavailable rule of constitutional law that the Supreme Court has made retroactive to cases on collateral review. See 28 U.S.C. § 2244(b)(2). Therefore, IT IS ORDERED that his motion is DENIED.

Because McKenzie duplicates a claim raised in a prior § 2254 application, McKenzie is hereby WARNED that submission of any

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future repetitious, frivolous, or abusive filings relating to
§ 2254 relief will invite the imposition of sanctions.

A true copy

Attest:

Clerk, U. S. Court of Appeals, Fifth Circuit


Deputy
New Orleans, Louisiana

JUN 05 2007